

1 services. I'm trying to flush out --

2 JUDGE LUTON: I understand your point.

3 MR. BERFIELD: That, that --

4 JUDGE LUTON: Objection is overruled.

5 MR. BERFIELD: I'm sorry. I didn't recall what the
6 question was pending when that was made. Was there a pending
7 question?

8 MR. MILLER: I believe I --

9 JUDGE LUTON: I believe there was.

10 MR. MILLER: -- made my objection after the question
11 had been answered.

12 MR. BERFIELD: Okay.

13 MR. MILLER: Simply to see if we couldn't curtail
14 some of this.

15 BY MR. BERFIELD:

16 Q Now, you devote -- do you devote some of your time
17 then to supervising employees and the, with relation to QKB,
18 EZ employees who are involved in QKB?

19 A Yes.

20 Q And could you indicate how many hours a week that
21 you devote to the supervision of EZ employees who are involved
22 in working with QKB?

23 A Would be in the original amount of hours that I
24 stated to you earlier that's included. Because it's at a
25 separate location, I don't spend as much time with the program

1 director of WQKB as I do with the program director or people
2 in the building at WBZZ.

3 But I would think -- it's a very difficult question.
4 To break it down, I would think 10 to 15 hours maybe out of
5 that total. May top 20. I, I really don't know. I don't
6 keep a stopwatch on it.

7 Q Well, are there occasions when you visit or go to
8 the QKB studios?

9 A Oh, sure.

10 Q Now does -- you mentioned that QKB has studios on
11 Lincoln Avenue in Millvale?

12 A Lincoln and North Avenue in Millvale, correct.

13 Q And do all the EZ employees who provide, who work in
14 connection with QKB, do they report to this Millvale address?
15 Is that their primary office?

16 A No, it's just the people that I mentioned, the on-
17 the-air staff that I mentioned, promotion director and the
18 program director are in Millvale. The salespeople and the
19 other people I mentioned are at WBZZ.

20 Q And what is the news person that you mentioned?
21 Where is her office?

22 A Millvale. She doesn't have an office. She has a
23 studio.

24 Q Now does WBZZ have any separate offices at this
25 Millvale address on Lincoln Avenue?

1 A No.

2 Q Does EZ lease space at this Lincoln Avenue address?

3 A Yes.

4 Q And what space does it lease?

5 MR. MILLER: Your Honor, I object again. There's no
6 LMA issue. The space that EZ may or may not lease in, at
7 Millvale address has nothing to do with diversification or
8 anything else relevant to any issue in this proceeding.

9 JUDGE LUTON: Overruled. Proceed.

10 MR. MILLER: I would also point out, Your Honor,
11 that Allegheny has filed a petition to deny the QKB assignment
12 application to EZ. And it would seem that counsel is fishing
13 for material for that proceeding rather than doing anything
14 that is pertinent here.

15 JUDGE LUTON: Proceed.

16 BY MR. BERFIELD:

17 Q I believe the, the question, Mr. Meyer, was -- I
18 think the question was does EZ lease office or studio space at
19 this Lincoln Avenue address in Millvale?

20 A I'm not sure how it works from a standpoint I don't
21 send transmittals on that. That goes out of our corporate
22 office. But I believe we do -- it may be a sublease. I'm
23 just really not sure of the contract. I've never seen it. It
24 would have been something that Mr. Box and Mr. Oppenheimer
25 would have discussed and done.

1 Q Well, do you know whether or not that the licensee
2 of QKB in effect sublets space from EZ Communications at the
3 Millvale address?

4 A I just answered. I --

5 Q You don't know.

6 A -- I don't know the --

7 Q I see.

8 A I, I don't -- I have not seen the paperwork on that.
9 That would be a question for Mr. Box either today or tomorrow.

10 Q Other than the Millvale -- and, and could you spell
11 Millvale just for the record to make sure the reporter has it
12 right?

13 A Sure. It's M-I-L-L-V-A-L-E.

14 Q Thank you. Other than Millvale, the Millvale
15 address or location you've described, does WQKB have any other
16 studios or offices?

17 A No.

18 Q Now in connection with the sales, the sale of, of
19 time over QKB, does EZ Communications do any advertising or
20 promotion with respect to such sales?

21 MR. MILLER: Your Honor, I renew my objection.

22 JUDGE LUTON: Proceed.

23 WITNESS: I'm not clear on the question.

24 MR. BERFIELD: Okay. Does EZ Communications provide
25 by billboards or do other sales or promotion with respect to

1 the time purchased over QKB?

2 WITNESS: I'm still not sure I understand that
3 question, Mr. Berfield.

4 JUDGE LUTON: Don't answer it if you don't
5 understand it.

6 MR. BERFIELD: Okay. I'll try, I'll try to make it
7 clear.

8 BY MR. BERFIELD:

9 Q But in, in radio sales, radio stations typically do
10 promotions in the aid of their sales effort. Is that correct?

11 A Well, we do --

12 Q Or when they do -- you may buy advertising in other
13 media.

14 A For sales alone?

15 Q Well, for, for sales or for the station, right.

16 A We don't do any advertising for sales alone if you,
17 if you're -- say an ad that would say you can buy sales, or
18 you can advertise on WQKB and all that kind of crap. We don't
19 do any --

20 Q Well, you do buy advertising then promoting the, the
21 station or the image of the station, is that correct?

22 A Sure, we market the station.

23 Q You market the station maybe --

24 A Correct.

25 Q -- is a better way to --

1 A Okay.

2 Q Okay. What I'm -- now, now with that explanation
3 does EZ Communications market the station QKB?

4 A Yes, that's included in our over marketing
5 agreement. We market selling programming on the radio
6 station.

7 Q Thank you. Prior to the LMA which I believe, I
8 believe was started January 1 of this year, where were the QKB
9 studios located if you know?

10 A Yes, they were at Millvale. Same location.

11 Q The same location. Now does -- is there a general
12 manager for the station QKB do you know?

13 A Yes.

14 Q And who -- is there such a general manager?

15 A Yes.

16 Q And who is that?

17 A Her name is Jan Swick, S-W-I-C-K.

18 Q And how long has Ms. Swick held that position?

19 A Chris Wegmann was the general manager from
20 January 1st through I believe the middle of March. Ms. Swick
21 has been the general manager since that time to the present.

22 Q And Ms. Swick is paid by whom?

23 A I assume she's paid by Signature Broadcasting
24 Partners LP.

25 Q Were you consulted before Ms. Swick was hired for

1 that position?

2 A No, I was not.

3 (Pause.)

4 Q Now you have indicated that there is a general
5 manager at QKB who is not on the EZ payroll, correct?

6 A That is correct.

7 MR. MILLER: Your Honor, asked and answered.

8 MR. BERFIELD: Well, I'm trying to tie this all up.

9 And there's also a public affairs --

10 JUDGE LUTON: -- to be patient. I don't understand
11 the anxiety about, about the examination quite frankly. I --

12 MR. MILLER: Your Honor, it's not anxiety about the
13 examination. It's just that we're asking the same question
14 several times and then rephrasing the witness's answer. And
15 it is --

16 JUDGE LUTON: Not the way you would do it I take it.
17 Proceed, Mr. Berfield.

18 MR. BERFIELD: Thank you, Your Honor.

19 BY MR. BERFIELD:

20 Q It's your understanding then that QKB had a program
21 director who is, is not an EZ employee -- I'm sorry, has a
22 public affairs director who is not an EZ employee. Is that
23 correct?

24 A That's my understanding, yes.

25 Q That you don't --

1 A I, I met him, sure.

2 Q Beg your pardon?

3 A I met him, yes.

4 Q But you don't recall his name.

5 A I don't recall his name.

6 Q And I think you've indicated, do you not, that the
7 licensee of QKB has an engineer or chief engineer?

8 A Chief engineer, that is correct.

9 Q Who is not on the EZ payroll.

10 A That is correct.

11 Q Now to your knowledge does -- are there any other
12 persons who work in any capacity with QKB other than the three
13 we've just identified who are not on the EZ payroll?

14 A Those are the only three that I'm aware of.

15 Q Do you know -- the engineer to whom you referred, do
16 you know is he a full-time -- I'm talking about the engineer
17 who, who works for QKB. Do you know whether or not he's full
18 time, or would he be like a contract engineer?

19 A I know --

20 Q If you know.

21 A -- I know he's full-time, because he does the
22 engineering with the station, and his name is Bill Hansen.
23 And I know he does the maintenance and all the work that goes
24 along with the engineering and the transmitter work, replacing
25 the tubes, that type of thing.

1 Q Now after January 1, 1993, have you met on any kind
2 of regular basis with the, the general managers of QKB?

3 A Could you explain what you mean by regular basis?

4 Q Well, have you met with them at all. Let's start
5 with Mr. Wegmann. He was the first general manager after the
6 LMA went into effect January 1 of this year. Is that correct?

7 A Correct.

8 Q Okay. And he was there from January 1 until March I
9 believe.

10 A Right.

11 Q Okay. And did you -- during that period, did you
12 meet with Mr. Wegmann with respect to any aspect of the
13 operation of QKB?

14 A Well, I knew Mr. Wegmann prior to the LMA agreement,
15 because he's a member of the Pittsburgh radio organization and
16 is a former president like I, I am. And in the time of Mr.
17 Wegmann from January 1st I had lunch with Mr. Wegmann once and
18 maybe met with him at two or three other occasions just
19 about -- more social things than anything else.

20 Q Are you, you suggesting you didn't discuss the
21 business or the operation of QKB --

22 JUDGE LUTON: Mr. Berfield, maybe this has been
23 tedious all the time. But now it's -- the tedium is beginning
24 to effect me. Seems to me that you're not really moving to
25 main points anymore if you're going to take off on something

1 | like that for example. I would ask your questioning to be a
2 | bit more focused.

3 | MR. KRAUS: Your Honor, because of this fan, it's
4 | very hard to hear the --

5 | MR. BERFIELD: I, I --

6 | JUDGE LUTON: My apologies. I'll speak louder.
7 | That complaint was directed to me, not you. Go ahead.

8 | MR. BERFIELD: Okay. Thank you, Your Honor.

9 | JUDGE LUTON: Well, your last question if you're
10 | trying to remember it had something to do with whether or not
11 | the witness was suggesting that his meeting with the engineer
12 | at QKB did not have to do with business matters.

13 | MR. BERFIELD: That's correct.

14 | WITNESS: No, more social. Whether somebody said
15 | how's business or how are things going. I'm sure that, that
16 | was said in the context of how we communicate. But it was --
17 | I would consider it more social than business.

18 | MR. MILLER: Your Honor, just to clarify the record,
19 | the question and I believe the answer had to do with the
20 | general managers not the --

21 | JUDGE LUTON: Not the engineer. My apologies. In
22 | trying to restate the question --

23 | MR. BERFIELD: I'm sorry.

24 | JUDGE LUTON: -- I screwed it up. You will agree
25 | with me too. Go ahead.

1 BY MR. BERFIELD:

2 Q Well, your answer was related to the general
3 manager, is that correct?

4 A That's correct.

5 Q Do you receive any written reports from the general
6 manager of QKB?

7 A No, I do not.

8 Q Now the, the sale of, the sales time on QKB by EZ
9 employees, do you offer advertisers combination rates of WQKB
10 and WBZZ?

11 MR. MILLER: Your Honor, I -- again, I don't see the
12 relevance of that area to this proceeding --

13 JUDGE LUTON: All right. Mr. Berfield, I understand
14 that Allegheny wants to be in a position to argue that
15 whatever EZ's relationship is with WQKB it ought to count
16 under the diversification criteria.

17 MR. BERFIELD: That's correct.

18 JUDGE LUTON: And, and presumably what you're
19 eliciting is in your view a trail that's going to help
20 Allegheny make that argument.

21 MR. BERFIELD: That's correct, Your Honor.

22 JUDGE LUTON: Whereas EZ's position as I understand
23 it is that whatever its arrangement with QKB is it doesn't
24 have any impact on the diversification criteria nor indeed if
25 it does it furthers the goals of the integration -- the

1 diversification rather, policy. Is that right?

2 MR. MILLER: As to the second point, yes, Your
3 Honor, there is obviously some minor diversification impact
4 here. And it's our position that that is either negated or
5 minimized because of the good that this arrangement does --

6 JUDGE LUTON: All right.

7 MR. MILLER: -- under the Commission's policy.

8 JUDGE LUTON: Okay.

9 MR. MILLER: But this -- as far as I can see,
10 questions about the sales arrangements don't really impact on
11 diversification.

12 JUDGE LUTON: Yes, Mr. Berfield.

13 MR. BERFIELD: Well, I was going to say that the
14 questions related to combination sales -- in other words
15 I'm -- obviously by my questions I'm trying to, to see what
16 are the connections between these two stations. And that's
17 one of the connections. It's just in that area, Your Honor.

18 JUDGE LUTON: I, I -- well, the objection is
19 overruled if there was an objection. I'll proceed. I would
20 hope that we can get this exploration of the relationship over
21 and done with rather quickly.

22 MR. BERFIELD: We are. We are, Your Honor. We are.

23 JUDGE LUTON: Proceed.

24 BY MR. BERFIELD:

25 Q The question is do you offer -- are there

1 combination rates offered for the, to advertisers for the
2 purchase of time on BZZ and QKB?

3 A Yes, there are at times combination rates offered.
4 Not all the time, but sometimes, yeah.

5 Q And could you explain what those combination rates
6 are? I don't mean the numbers, but what is the theory of
7 those combination rates?

8 A Well, since it's a new format on WQKB since January
9 1st, it's what we call a start-up situation. And when we
10 started there were no ratings to reflect that. And so we put
11 in a discount to long-term advertisers for advertising on both
12 WBZZ and WQKB but not all --

13 Q When you say long-time advertisers, you mean long-
14 time advertisers of which station or both stations?

15 A No, long-term advertisers.

16 Q Of whom? Of which station?

17 A Well, no. I was speaking not in regards to which
18 station but to somebody that would sign an annual contract for
19 advertising.

20 Q I see. And your last answer you indicated first
21 you'd gone to -- what -- the format prior to January 1, 1993
22 on QKB was contemporary hit radio, is that correct?

23 A I would say it had more of a dance or urban flavor
24 to it. But it was a contemporary format, yes.

25 Q And it was a format somewhat similar to your format,

1 was it not, on WBZZ?

2 A Well, I would argue that I, I said I think it would
3 be even more dance, and we were more of a mainstream
4 contemporary radio station.

5 Q Now -- you're aware, are you not, that EZ has filed
6 an application with the Commission to acquire the license of
7 QKB?

8 A Yes, I'm aware of that.

9 Q And my question is assuming that that assignment
10 goes through and EZ becomes the licensee of QKB, would the
11 amount of time that you now spend on QKB be about the same in
12 that respect?

13 MR. MILLER: Your Honor, that calls for a very
14 speculative --

15 JUDGE LUTON: Overruled. I'd like to hear this
16 answer.

17 WITNESS: Well, I consider it a hypothetical
18 question.

19 JUDGE LUTON: It is that.

20 MR. BERFIELD: Well, it is but we're dealing with --

21 WITNESS: -- answering it. Excuse me.

22 BY MR. BERFIELD:

23 Q You have the question, Mr. Meyer. You've told us
24 that you spend 10 to 15, sometimes 20 hours a week on QKB
25 matters. And -- under the present arrangement. And I'm

1 saying would after -- if, if EZ becomes a licensee of QKB,
2 would it be essentially the same work schedule for you and the
3 same amount of time devoted to QKB?

4 A I think my workload would increase. And my reason
5 for saying that is in the ideal world, and again I'm speaking
6 hypothetically, I think there are some things that need
7 improving on WQKB which I cannot control. That would be the
8 matter of engineering, processing, tuning the transmitter,
9 which I would try to improve that. Because this is just my
10 personal belief, I don't think they do a very good job of it.
11 I think we'd do a much better job with our transmitter and
12 what we do.

13 I would spend more time on non-entertainment
14 programming, because I think there is a need in the community
15 to improve that. You asked me before if I've heard the public
16 affairs programming on WQKB. I have. And this goes back to
17 even before we LMA'd it. I think they do a very poor job in
18 the area of public affairs, and I think we could drastically
19 improve that from a standpoint of local programming and public
20 service out of the New Kensington area. So obviously my
21 workload would increase there.

22 And it would be my eventual aim to get all the
23 people probably in the same building so there would be more of
24 a communication process between myself and the program
25 director. I mean I, I go over to new -- excuse me, Millvale

1 to meet with him. He comes over to meet with me. But it's
2 not like being in the halls and saying come on into my office.
3 Let's talk about something. I know that's a long answer but
4 that's what I feel.

5 Q Well, you're saying that then in the 55 to 60 hours
6 a week you think there would be some increase in the amount of
7 time. You indicated that -- what you've indicated are the 55
8 to 60 now devoted to QKB. There would be some increase. Is
9 that correct?

10 A Sure. I think initially there would be an increase,
11 and probably overall there would be an increase in hours. Or
12 like time management, you would budget your time probably a
13 little bit different. I would hope to do that.

14 MR. BERFIELD: Your Honor, I'm -- I've completed
15 with this area of questioning. I'm going to move on to a
16 different one. I think this might be a good idea, we might
17 take a short, short break.

18 JUDGE LUTON: Do you need it?

19 MR. BERFIELD: I would like to, yes, Your Honor.

20 JUDGE LUTON: All right. We'll recess for 10
21 minutes.

22 MR. BERFIELD: Thank you.

23 (Off the record at 11:05 a.m. Back on the record at
24 11:15 a.m.)

25 JUDGE LUTON: All right. Please proceed.

1 MR. BERFIELD: I, I would like to have you turn your
2 attention please, Mr. Meyer, to WBZZ Exhibit No. 3. That's
3 your EEO exhibit for WBZZ.

4 (Pause.)

5 MR. BERFIELD: Now first of all I'd like to ask you
6 some clarifying questions with respect to the exhibit. First
7 of all, in preparing the exhibit did you examine the WBZZ
8 annual employment reports for the years indicated?

9 MR. ZAUNER: Your Honor, the Bureau has objected to
10 this exhibit. And just for the record we would like a
11 continuing line of objections to the questions and answers on
12 the exhibit.

13 BY MR. BERFIELD:

14 Q I believe you can answer the question, Mr. --

15 A Would you repeat the question?

16 Q Yeah, I'm sorry.

17 A Okay.

18 Q Did you personally review the annual employment
19 reports for the years indicated, 1984 to 1991, on which this
20 exhibit is based?

21 A Yes, and I'll explain how I do that. I do that when
22 the annual employment report is put in the public file. But I
23 also do it twice a year when I do my 6-month audit for the
24 radio station.

25 Q Yeah. But in preparing this exhibit did you review

1 those reports?

2 A In preparing this exhibit?

3 Q Yes --

4 A I've reviewed it, yes. I have reviewed those
5 reports, yes.

6 Q Now if you will, I would appreciate if you'd turn to
7 page 2 of your Exhibit No. 3. And at the top there you
8 indicate certain statistics. And you say MSA or county
9 statistics from FCC. What do you mean by MSA?

10 A The metro survey area.

11 Q Now are these, are, are -- and the county would be
12 what, Allegheny County?

13 A Well, the Metro Survey Area is a five-county area
14 in --

15 Q Well, I guess my question more specifically is are
16 these statistics that you're presenting here in the top there,
17 are they MSA or county statistics? Your exhibit doesn't
18 indicate which. Or do you know?

19 A I, I don't know that.

20 (Pause.)

21 Q Now going down below the line there there's a,
22 there's a entry that says FTEMP. Does that mean full-time
23 employees?

24 A Yes, it does.

25 Q And then below that you have a number of employees

1 for each year. Let's take the first category women.

2 A Yes.

3 Q And then you show a percentage. And what, what does
4 that percentage represent?

5 A That's the percentage of 23 divided by 8, that's the
6 percentage of women that we have working out of the full-time
7 employees.

8 Q Okay. So that percentage relates to WBZZ staff
9 percentage.

10 A Correct.

11 Q Okay. And then you have a reference there that, to
12 PAR. And what does that refer to?

13 A That's parody.

14 Q And what do you mean by parody? What -- how did you
15 use parody when you put it in the preparation of this exhibit?

16 A Okay. The women on the top under the MSA were the
17 county statistics. That would be the percentage of those
18 either in the metro survey area or I assume it's the five-
19 county area. And the parody is where we are above that
20 percentage. Or below.

21 For example, it's saying 39.8 percent of -- there
22 are 39.8 percent women in the metro survey area. And of our
23 total employees the percentage we have is almost 35 percent,
24 34.78 for 1984. And the parody is 87.39. Which is below 100
25 percent.

1 Q And with -- in the next category that you have
2 listed, blacks, the percentage computation is the same?

3 A Yes.

4 Q Same formula?

5 A Yes. Based on the metro survey area of 6.4 percent
6 of the total population is black, we employee 13.4 percent of
7 our staff which gives us a parody of 203 percent.

8 Q Then I take it according to your exhibit there were
9 no hispanics or other minorities employed during these years.
10 Is that correct?

11 A That is correct.

12 Q And then you have a summary table below that which I
13 guess total MIN means total minorities, is that correct?

14 A Correct.

15 Q And could you explain what you mean by, by the
16 percentage in parody in that column that goes across under
17 total minorities?

18 A Yes, that would be the total minority employees
19 which refers up to the column with black with three which is
20 the same percentage, 13.04. And the parody would drop because
21 of the other categories to 178.68 percent.

22 Q And then below that you have an inscription FT which
23 I assume means full-time. And then you have UP4. What did
24 you mean by UP4 there?

25 A Yeah, the upper 4 classification which could be

1 executive or managing (sic).

2 Q Well, what are the upper 4 classifications that you
3 use, do you know?

4 A I can break them down by who the employees were.

5 Q Well, I mean the, the --

6 A Well, we would use, we would use a managerial
7 position which would be business manager, traffic manager,
8 news director, on-air talent, full-time on-air talent, sales
9 positions, account executives.

10 Q Any others?

11 A There may be. Those are the ones that come to mind
12 off the top of my head.

13 Q And then would you explain are, are your percentage
14 and parody calculations there under the full-time upper 4
15 categories the same as you've described for the, you
16 previously described or are they different? Take for example
17 women. You've given us an example there under the upper 4.
18 Could you explain what your percentages and parody is there?

19 A Yeah. It's the same based on the total population
20 and based on the number of employees we have and the number of
21 employees in those positions I named previously.

22 Q And your totals down at the bottom are calculated
23 the same way as the totals were you previously described?

24 A Yes. Based on the upper 4 classification, yes.

25 (Pause.)

1 MR. BERFIELD: Now Your Honor, I have some, some
2 exhibits to distributed at this time if I may. I'm handing to
3 the reporter record file 8. Your Honor, these are annual
4 employment reports I believe for WBZZ. And I believe these
5 are for the years '84 through '91 that are covered in this
6 exhibit. These are the underlying documents in --. And I
7 would then like to mark these for identification if we may.

8 I'd like to mark -- I believe my next exhibit is
9 Exhibit 14. And I'd like to have marked for, as Allegheny
10 Exhibit 14, the BZZ, at least the copy we have. I may have
11 a -- I have a question about this. For the annual employment
12 report of 1984. That would be Allegheny 14.

13 (Whereupon, the document referred to
14 as Allegheny Exhibit No. 14 was
15 marked for identification.)

16 JUDGE LUTON: Okay.

17 MR. BERFIELD: Then I'd like to have marked as
18 Allegheny 15 the WBZZ annual employment report for 1985. That
19 would be Allegheny 15. I'd like to have marked as Allegheny
20 16 the BZZ report for 1986. Allegheny Exhibit 17 would be the
21 BZZ annual report 1987. Allegheny Exhibit 18 would be the
22 annual BZZ employment report 1988. Exhibit -- Allegheny
23 Exhibit 19 would be the WBZZ annual employment report 1989.
24 Allegheny Exhibit 20 would be the WBZZ report for 1990. And
25 then Allegheny Exhibit 21 would be the annual employment

1 report BZZ 1991. I request that these are marked.

2 (Whereupon, the documents referred to
3 as Allegheny Exhibits Nos. 15 through
4 21 were marked for identification.)

5 JUDGE LUTON: All marked.

6 MR. BERFIELD: Thank you. Now could I have a moment
7 off the record, Your Honor, to confer with other counsel?

8 JUDGE LUTON: Yes.

9 MR. BERFIELD: Just a moment.

10 (Off the record at 11:29 a.m. Back on the record at
11 11:31 a.m.)

12 MR. BERFIELD: Thank you for your indulgence. The
13 off the record discussion with counsel relates to Allegheny
14 Exhibit 14 which appears to contain different statistics than
15 are in the exhibit. And my review of the other reports
16 indicate that they tally with what's in the, the compilations
17 in the exhibit.

18 So I've discussed with other counsel. And, and over
19 the lunch hour they're going to attempt to see if we can
20 determine what, what the circumstances were concerning this
21 report. Meanwhile, my questioning really can go on
22 essentially without relationship to it.

23 MR. MILLER: Your Honor, I would just add to that
24 the first EEO form here submitted by Allegheny is covered for
25 the, is for the pay period ending March 18, 1984 which was

1 before the -- period. The last --. But we, we will check
2 over the lunch break to see what causes varied the numbers in
3 any event.

4 MR. BERFIELD: Well, they put 1984 in their exhibit
5 and --

6 BY MR. BERFIELD:

7 Q Well, well, let me ask the witness, Mr. Meyer, with
8 particular reference to Allegheny Exhibit 14, the annual
9 employment report form for 1984. And you'll notice on page 4
10 of that exhibit it's signed by the vice president of EZ
11 Communications?

12 A Yes, I do.

13 Q That would be who, Mr. --

14 A Woody Allen.

15 Q Thank you. And do you have any knowledge as to
16 whether or not this exhibit, Allegheny Exhibit 14 is correct
17 as to the numbers?

18 A I, I don't know, Mr. Berfield. The number I assume
19 above total columns 2 and 3 is a little blurred on mine. It
20 looks like it's 11. And it doesn't look like it matches the
21 '94 numbers in the categories. On the database program in the
22 exhibit.

23 Q Thank you. But you have no knowledge at this time
24 beyond that.

25 A I would assume that these are the correct numbers,

1 and there may be a data error or data error here. I would
2 assume. I don't know.

3 Q You would assume that Allegheny Exhibit 14 is
4 correct. Take a moment to look at it if you will.

5 MR. MILLER: Your Honor, could I ask, suggest that
6 the witness might also look at Allegheny Exhibit 15 which
7 purports to have numbers for the preceding year and --

8 WITNESS: Is that '85?

9 MR. MILLER: Yes, sir.

10 WITNESS: That one looks like --

11 MR. MILLER: Exhibit --

12 WITNESS: -- it's the correct one for the '84
13 column.

14 MR. MILLER: You show for --

15 WITNESS: I mean --

16 MR. MILLER: -- just to clarify that by that one
17 your reference is to the 1985 report?

18 WITNESS: Under -- from Exhibit 15 to under '90 --
19 1985 on what I call the data or database sheet, that seems to
20 be correct.

21 MR. BERFIELD: Okay. Your Honor, maybe, maybe we
22 can get this sorted out after, after lunch. I say it's not
23 germane I don't believe to the next set of questions that I
24 have.

25 BY MR. BERFIELD: